

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **James D Wagner v Cheryl M Wagner**  
Docket No. **267399**  
L.C. No. **04-003706 DM**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The claim of appeal filed December 27, 2005, is DISMISSED for lack of jurisdiction because the judgment of divorce order is not a final order for the reason that the matter of child support was not adjudicated but simply referred to the friend of the court. See MCR 2.604(A) and 7.202(6)(a)(i). As a result, appellant may only challenge the order at this time by filing a delayed application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 11 2006  
Date

Sandra Schultz Mengel  
Chief Clerk